

12-20-2007 10:47 WEDEEN AND KAVANAGH 1205430318

USDS SDNY	
DOCUMENT	PAGE 1
ELECTRONICALLY FILED	
DOC #:	
DATE FILED:	4/23/08

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**SOFTWARE FOR MOVING, INC.,
a New York Corporation,**

Plaintiff,

vs.

**LA ROSA DEL MONTE EXPRESS,
INC., a New York Corporation, and
LA ROSA DEL MONTE EXPRESS
(CHICAGO), LLC, an Illinois Limited
Liability Company,**

Defendants.

ECF CASE

Case No. 08-cv-00986 (JGK)

Assigned Judge: John Koeltl

STIPULATION AND ORDER

Pursuant to the March 18, 2008 Order of the Court and the Hearing before the Court on April 1, 2008:

IT IS HEREBY STIPULATED AND AGREED, that Plaintiff, SOFTWARE FOR MOVING, INC.'s ("SFM") time to file and serve opposition papers to the Motion by Defendants, LA ROSA DEL MONTE EXPRESS, INC. and LA ROSA DEL MONTE EXPRESS (CHICAGO), LLC ("Defendants") is hereby extended to April 25, 2008.

IT IS FURTHER STIPULATED AND AGREED, that Defendants' reply papers will be filed and served no later than May 26, 2008.

IT IS FURTHER STIPULATED AND AGREED, that Plaintiff has until April 25, 2008 by which to serve and file an answer to Defendants' counterclaims in this matter.

IT IS FURTHER ORDERED BY THE COURT, that enforcement of Judge Gotschall's December 7, 2007 Order regarding a hearing on the issue of arbitrability of this dispute is stayed upon the Court's direction during the April 1, 2008 hearing pending resolution of motion in this matter.

12-20-2007 10:47 WEDEEN AND KAVANAGH 1205430318

PAGE2

This Stipulation may be filed without further notice with the Clerk of the Court, may be executed by any of the signatories hereto in separate counterparts, and which taken together shall constitute this Stipulation, and facsimile signatures are to be accepted as originals.

Dated: April 21, 2008

By: 

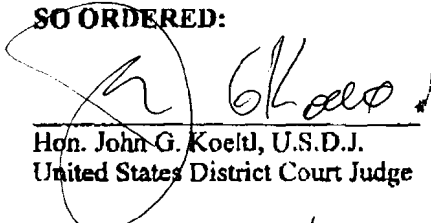
Timothy Wedeen (TW-4650)
Wedeen & Kavanagh
Attorneys for Plaintiff
SOFTWARE FOR MOVING, INC.
137 Fifth Avenue, 10th Floor
New York, NY 10010

Dated: April 15, 2008

By: 

John T.A. Rosenthal
Harrington, Ocko & Monk, LLP
Attorneys for Defendants
LA ROSA DEL MONTE EXPRESS, INC.
and LA ROSA DEL MONTE EXPRESS
(CHICAGO), INC.
81 Main Street - Suite 215
White Plains, NY 10601

SO ORDERED:


Hon. John G. Koeltl, U.S.D.J.
United States District Court Judge

4/22/08